

United States District Court
District of Massachusetts

Civil Action No. 05-30052-MAP

CARNELL GARVIN

Plaintiff,

v.

D. A. SULLIVAN & SONS, INC. and
CONSTRUCTION SAFETY SERVICES, INC.,
Defendants.

**MOTION TO ALLOW FILING OF APPEARANCE OF ROBERT J.
MONGELUZZI AND ANDREW R. DUFFY PRO HAC VICE AND
SUPPORTING DECLARATION**

I, Scott E. Charnas, am an attorney in the law firm of Manheimer & Charnas, LLP, 210 Commercial Street, Boston, Massachusetts 02109, a member of the bar of this Commonwealth and a member of the bar of the United States District Court for the District of Massachusetts. I hereby move for the admission pro hac vice, of Robert J. Mongeluzzi, Esquire and Andrew R. Duffy, Esquire, both of Saltz, Mongeluzzi, Barrett & Bendesky, P.C., One Liberty Place, 52nd Floor, 1650 Market Street, Philadelphia, PA 19103, to appear and practice in this Court as co-counsel for Plaintiff Carnell Garvin in the above captioned case. This motion is made pursuant to Local Rule 83.5.3.

In support of this Motion, I have attached a sworn declaration by each of Mr. Mongeluzzi (See Exhibit 1) and Mr. Duffy (See Exhibit 2) that (1) he is in good standing with the bars of the courts in which he is admitted; (2) no disciplinary proceedings are pending against him as a member of the bar in any jurisdiction; and (3) he will abide by the rules of this Court.

WHEREFORE, it is respectfully requested that Robert J. Mongeluzzi and Andrew R. Duffy be granted leave to appear pro hac vice and represent Plaintiff Carnell Garvin in the Court in the above captioned matter.

Respectfully submitted,
The Plaintiff,
By his attorneys,

/s/ Scott E. Charnas
Scott E. Charnas, BBO# 081240
MANHEIMER & CHARNAS, LLP
210 Commercial Street
Boston, MA 02109
617-557-4700

Dated: May 4, 2005

CERTIFICATE OF SERVICE

I, Scott E. Charnas, hereby certify that on the 4th day of May, 2005, I caused a copy of the foregoing to be served, by electronic filing, upon Scott Tucker, Esquire, Tucker, Heifetz & Saltzman, Three School Street, Boston, MA 02108 and Steven O'Brien, Esquire, Long & Houlden, 100 Summer Street, Boston, MA 02110.

/s/ Scott E. Charnas

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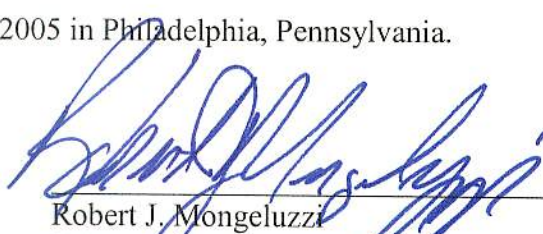
**DECLARATION OF ROBERT J. MONGELUZZI IN SUPPORT
OF MOTION FOR ADMISSION PRO HAC VICE**

1. I am an attorney licensed to practice in the State of Pennsylvania, and practice with the firm Saltz, Mongeluzzi, Barrett & Bendesky, P.C. in Philadelphia, Pennsylvania.
2. This Declaration is submitted in support of a motion to allow my appearance, pro hac vice, in this case.
3. I am a member in good standing of the bar in the Commonwealth of Pennsylvania, the State of New Jersey, the State of New York and the United States District Courts for the State of New Jersey, the Eastern District of Pennsylvania and the Southern District of New York.
4. I am a member of the bar in good standing in every jurisdiction where I have been admitted to practice, and there are no disciplinary proceedings pending against me as a member of the bar of any jurisdiction.
5. I have over 20 years of experience in handling construction litigation and have handled numerous cases involving falls from construction sites.

6. I am currently lead plaintiffs' counsel in the Tropicana garage collapse litigation in Atlantic City, New Jersey.
7. I have lectured and written on construction litigation at the request of the Association of Trial Lawyers of America and Trial Lawyers' Associations of various states.
8. I am the immediate past president of the Philadelphia Trial Lawyers Association.
9. I agree to abide by the rules of this Court, and to conduct myself in accordance with Supreme Judicial Court Rule 3:07 and the Massachusetts Rules of Professional Conduct.
10. I further agree that all pleadings, motions, and other papers filed on behalf of Plaintiff, Carnell Garvin before this Court shall be signed by the attorney of record in that attorney's individual name in accordance with the rules of this Court.

I, declare under the penalties of perjury that the foregoing is true and correct.

Executed this 14th day of April 2005 in Philadelphia, Pennsylvania.


Robert J. Mongeluzzi
Saltz, Mongeluzzi, Barrett & Bendesky, P.C.
One Liberty Place, 34th Floor
1650 Market Street
Philadelphia, Pennsylvania 19103
215-496-8282

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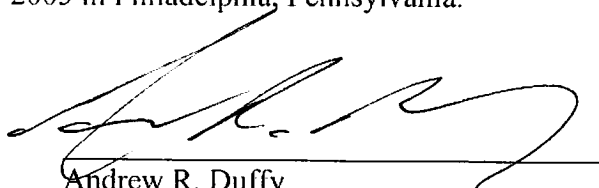
**DECLARATION OF ANDREW R. DUFFY IN SUPPORT
OF MOTION FOR ADMISSION PRO HAC VICE**

1. I am an attorney licensed to practice in the State of Pennsylvania, and practice with the firm Saltz, Mongeluzzi, Barrett & Bendesky, P.C. in Philadelphia, Pennsylvania.
2. This Declaration is submitted in support of a motion to allow my appearance, pro hac vice, in this case.
3. I am a member in good standing of the bar in the Commonwealth of Pennsylvania, the State of New Jersey, and the United States District Courts for the State of New Jersey and the Eastern District of Pennsylvania.
4. I am a member of the bar in good standing in every jurisdiction where I have been admitted to practice, and there are no disciplinary proceedings pending against me as a member of the bar of any jurisdiction.
5. I have litigated numerous construction site fall cases involving catastrophic injuries as defense counsel and as plaintiff's counsel.

6. I work with Robert J. Mongeluzzi, Esquire and, if admitted, will be assisting him in this matter.
7. I agree to abide by the rules of this Court, and to conduct myself in accordance with Supreme Judicial Court Rule 3:07 and the Massachusetts Rules of Professional Conduct.
8. I further agree that all pleadings, motions, and other papers filed on behalf of Plaintiff, Carnell Garvin before this Court shall be signed by the attorney of record in that attorney's individual name in accordance with the rules of this Court.

I, declare under the penalties of perjury that the foregoing is true and correct.

Executed this 14th day of April 2005 in Philadelphia, Pennsylvania.



Andrew R. Duffy
Saltz, Mongeluzzi, Barrett & Bendesky, P.C.
One Liberty Place, 34th Floor
1650 Market Street
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215-496-8282